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EXHIBIT

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1 JUL 26 2 50 PM '03 BEFORE THE ARIZONA POWER PLANT AND  
2 TRANSMISSION SITING COMMITTEE  
3 DOCUMENT CONTROL

4 IN THE MATTER OF THE APPLICATION  
5 OF DINÉ POWER AUTHORITY FOR A  
6 CERTIFICATE OF ENVIRONMENTAL  
7 COMPATIBILITY FOR THE NON-  
8 RESERVATION PORTIONS OF THE  
9 NAVAJO TRANSMISSION PROJECT.

Case No.: L-00000U-00-013 <sup>0103</sup>

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11 TESTIMONY OF  
12 RANDY D. PALMER  
13 ON BEHALF OF  
14 DINÉ POWER AUTHORITY  
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1 Q. Would you please state your name, business address, nature of involvement with  
2 the Project and personal qualifications?

3 A. My name is Randy Palmer. I am a principal with the Environmental Planning  
4 Group (EPG) located at 4350 East Camelback Road, Suite G-200, Phoenix,  
5 Arizona 85018.

6 My qualifications include a Bachelor of Science Degree in Outdoor  
7 Recreation with an emphasis on Landscape Architecture from Colorado State  
8 University and a Masters Degree in Landscape Architecture from Harvard  
9 University. I have over 15 years of experience conducting environmental planning  
10 studies for utility projects in 10 states and Canada.

11 I have acted as the project manager for the Navajo Transmission Project  
12 (the "Project" or "NTP") since 1995 and have been responsible for the assessment  
13 of impacts associated with the project, the comparison of alternatives, selection of  
14 a preferred alternative(s), preparation of the Draft and Final EIS (DEIS/FEIS),  
15 preparation of the Construction, Operation, and Maintenance Plan (COMP) and  
16 submittal of right-of-way applications for the Project.

17 Q. Mr. Palmer, a Record of Decision has been issued in relation to the Project. Please  
18 summarize its key findings.

19 A. In publishing the Record of Decision, the Western Area Power Administration  
20 (Western) decided that the NTP should follow the preferred alternative based upon  
21 the analysis and information contained in the DEIS/FEIS. Factors which were  
22 taken into account in arriving at the preferred alternative included (1)

1 environmental acceptability; (2) siting and permitting requirements that vary by  
2 land status; (3) public and agency preferences, especially those of the cooperating  
3 agencies; (4) electrical system considerations such as power flow and impacts on  
4 system interconnections; (5) engineering factors (length of route, construction  
5 difficulty etc.); (6) right-of-way acquisition considerations; and (7) the statutory  
6 obligations of the permitting agencies.

7 In making this decision, Western believed that all practicable measures to avoid or  
8 minimize significant impacts were presented in the Project EIS, including standard  
9 and specific mitigation measures.

10 Q. What is a Construction, Operation, and Maintenance Plan (COMP) and why has it  
11 been prepared?

12 A. As I mentioned, in making its decision Western believed that all practicable means  
13 to avoid or minimize significant impacts were presented in the earlier EIS studies  
14 in the form of standard and specific mitigation measures. As a part of this  
15 decision, it was also determined that cooperating agencies and Native American  
16 tribes participating in the Project have decisions to make concerning the granting  
17 of rights-of-way for the preferred alignment described in the EIS. The COMP is a  
18 plan which even more specifically details all necessary environmental mitigation.

19 The COMP addresses requirements and policies of the cooperating  
20 agencies for this Project including the Bureau of Indian Affairs (BIA), Bureau of  
21 Land Management (BLM), U.S. Forest Service (Forest Service), National Park  
22

1 Service (NPS) and Native American groups including the Navajo, Hopi and  
2 Hualapai Tribes. The COMP incorporates and refines information which is  
3 contained in the DEIS, FEIS and the Mitigation Plan.

4 Q. When was the COMP completed in relation to the NTP?

5 A. The Preliminary COMP was completed in March of 1999. The plan has been  
6 submitted to each agency (as appropriate) in support of ongoing right-of-way  
7 applications.

8 Q. Please describe for the committee how the COMP addresses mitigation measures  
9 for the Project.

10 A. The COMP is organized into 10 sections which describe the project background,  
11 proposed facilities, roles and responsibilities of participants during construction  
12 and operation of facilities, resource protection measures and construction  
13 commitments for the Project.

14 In particular, the COMP focuses on resource protection and reclamation  
15 measures associated with the Project. Potential environmental consequences were  
16 initially determined through the earlier systematic analysis that included assessing  
17 impacts of the project on the environment and how those impacts could be  
18 mitigated most effectively. These measures are referred to in the DEIS as "generic  
19 mitigation measures." Where warranted, measures to mitigate impacts were also  
20 recommended in specific locations ("selected mitigation").

21 These mitigation measures and additional stipulations have been refined  
22 and integrated into the COMP. Support materials including two map volumes and

1 a site prescription table. The map volumes indicate the location of facilities at a  
2 scale of 1"=2,000' and 1"=200' including proposed structures and access. Each  
3 proposed new structure has been given a specific identifier that corresponds to the  
4 site prescription table. This table provides detailed location information,  
5 engineering specifications, landscape characteristics and selective mitigation  
6 measures at each structure site. The COMP, supporting map volumes and site  
7 prescription tables are being updated accordingly based on refinements as  
8 suggested by each of the agencies involved in the project.

9 Q. Will the measures outlined in the COMP further reduce any environmental  
10 impacts associated with the Project?

11 A. Yes. I would stress, however, that as presented in the EIS, there are no significant  
12 impacts anticipated for those portions of the Project for which a CEC is sought.  
13 However, implementation of the COMP will certainly assist in minimizing any  
14 impacts that would be anticipated and will specifically address any areas of  
15 individual agency concern.

16 Q. Please describe DPA's current status on right-of-way applications for the Project.

17 A. At the current time , DPA has made significant progress on the right-of-way  
18 applications for the NTP. Here is a summary of the status of these applications on  
19 Native American and federal lands:

20 Native American Lands

21 Right-of-way applications have been submitted to the BIA for Navajo trust lands.  
22 Preliminary applications have also been prepared for fee simple lands and

1 allotments on the Navajo Nation. DPA is also working with the Navajo-Hopi  
2 Land Commission and consultation with the Hopi and Hualapai Tribes is ongoing.  
3 In addition, DPA, in conjunction with the Navajo Lands Department, has obtained  
4 land user consent for much of the route on the Navajo Nation.

5 Other Federal Agencies

6 The application for utility systems and facilities on federal lands was  
7 submitted to the BLM (Phoenix Regional Office, Kingman Resource Area, Las  
8 Vegas Field Office and Farmington District), Forest Service (Kaibab National  
9 Forest) and NPS (Lake Mead National Recreation Area) in November of 1998.  
10 DPA anticipates completion of right-of-way approvals for these areas by the end  
11 of this year.

12 Q. Does this complete your testimony?

13 A. Yes, it does.

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